UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,589	01/10/2002	Levent Sasmazel	501008-A-01-US (Sasmazel)	6338

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EXAMINER
NALVEN, ANDREW L

ART UNIT	PAPER NUMBER
2134	

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
	10/043,589	SASMAZEL, LEVENT
Office Action Summary	Examiner	Art Unit	
	Andrew L. Nalven	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>31 October 2005</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *2-5,8-12,14-17 and 20-24* is/are allowed.

6)☒ Claim(s) *1,6,7,13,18,19 and 25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>05 March 2002</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/10/02</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   Amendment submitted 10/31/05 has been entered and considered.

Response to Arguments

1.   Applicant's arguments filed 10/31/05 have been fully considered but they are not persuasive.

2.   Applicant has argued that the Allredge reference fails to teach the end units have respective pluralities of terminals associated therewith, a given one of the end units being configured to provide an interface between its associated terminals and the communication switch and the given set of session key lists associated with the originating end unit comprises session key lists for respective terminals associated with that end unit. Examiner respectfully disagrees with this assertion. As noted below in the following rejection, Allredge teaches the end units have respective pluralities of terminals associated therewith, a given one of the end units being configured to provide an interface between its associated terminals and the communication switch (para. 0026, plurality of users) and the given set of session key lists associated with the originating end unit comprises session key lists for respective terminals associated with that end unit (para. 0024, 0025, 0059 and 0067). Allredge teaches these limitations by teaching the communication switch being in communication with a plurality of user terminals (para. 0026, plurality of users) and by teaching session keys for use between a user and a merchant (para. 0024, 0025).

3.   Applicant's argument with regards to the teaching of the given set of session

keys associated is generated in the originating end unit and transmitted from the

originating end unit to the communication switch in conjunction with an authentication

protocol carried out between the originating end unit and the communication switch is

moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   **Claims 1, 6, 7, 13, 18, 19 and 25 are rejected under 35 U.S.C. 103(a)** as being

unpatentable over Allredge (US 2003/0046534) in view of Yatsukawa US Patent No.

6,148,404.

Regarding claim 1, Allredge discloses a method for providing secure

communications between two or more end units (user/sender and third party receiver)

of the system via a communication switch (server 13) of the system (para. 0027 and

0052), the method comprising the steps of:

storing in a memory associated with the communication switch a plurality of sets

of session key lists including a set of session key lists for each of the end units (it is

inherent that a plurality of users, each associated with a set of session key lists,

constitutes a plurality of sets of session key lists, wherein 1st and 2nd sequences each

denote a set of session key lists, defined herein as a plurality of session keys; para.

0024, 0025, 0059 and 0067);

selecting as an end unit to end unit session key a session key from a session key

list in a given one of the sets of session key lists associated with an originating end unit,

the selected end unit to end unit session key being utilizable in providing secure

communications between the originating end unit and at least one other end unit via the

communication switch (secure communication via server 13 between user and third

party receiver using session key; para. 0033 and 0052).

Wherein the end units have respective pluralities of terminals associated

therewith, a given one of the end units being configured to provide an interface between

its associated terminals and the communication switch (para. 0026, plurality of users)

Wherein the given set of session key lists associated with the originating end unit

comprises session key lists for respective terminals associated with that end unit (para.

0024, 0025, 0059 and 0067).

Allredge fails to teach the generation of session keys and the transmitting to a

switch during authentication.

Yatsukawa teaches the given set of session keys associated is generated in the

originating end unit and transmitted from the originating end unit to the communication

switch in conjunction with an authentication protocol carried out between the originating

end unit and the communication switch (Yatsukawa, column 5 line 57 – column 6 line

28). At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art to utilize Yatsukawa's key generation and authentication method

with Allredge's system because it offers the advantage of preventing masquerade

attacks by varying the challenge data with each authentication (Yatsukawa, column 6

lines 21-25).

Regarding claim 6, Allredge as modified teaches all the limitations of claim 1,

and further teaches that the set of session key lists for a given one of the end units

(user) is supplied to the communication switch in encrypted form by that end unit as part

of an authentication protocol carried out between that end unit and the communication

switch (server 13) (2nd sequence provided to server by user; para. 0031).

Regarding claim 7, Allredge as modified teaches all the limitations of claim 1,

and further teaches that a first session key element of the set of session key lists is

utilizable for providing secure communications between the given one of the end units

(user) and the communication switch (server 13) subsequent to completion of the

authenticaéon protocol (para. 0032).

Regarding claims 13, 18 and 19, this is an apparatus version of the claimed

method above (claims 1, 6 and 7). Therefore, for the reasons provided above, such

claims also are anticipated.

Regarding claim 25, this is an machine-readable-storage-medium version of the

claimed method above (claim 1). Therefore, for the reasons provided above, such a

claim also is anticipated.

Allowable Subject Matter

3.   **Claims 2-5, 8, 9-12, 14-17 and 20-24 are allowed**

4.   The following is a statement of reasons for the indication of allowable subject

matter:

Regarding claims 2 and 14, Allredge does not explain that the given one of the

sets of session key lists is stored in the form of a data structure comprising at least a

first session key element and a plurality of stack-based session key lists, each of the

stack-based session key lists comprising a plurality of session keys associated with a

particular terminal coupled to the originating end unit. Allredge teaches that a plurality

of session keys associated with the originating end unit is stored at the communications

switch (server 13) (para. 0023, 0024 and 0067) and that the key sequence acquired by

a user comprises multiple sessions of communications between the user and a third

party (para. 0059). But the prior art provides neither a reference to the use of a key

element along with a stack or to a stack comprising a plurality of session key lists,

wherein each list comprises a plurality of session keys associated with a terminal.

Although it is widely known in the art to employ a stack as a means of storing data, it

would not seem obvious to one of ordinary skill to modify Allredge to employ a stack of

the particular complexity described above.

Regarding claims 8 and 20, the closest prior art, Allredge, does not explain that

a particular one of the session key lists associated with a particular terminal coupled to

the originating end unit is selected for use in providing secure communications for a call

originating at the particular terminal. Allredge teaches that a session key is selected for

secure communications for a call originating from an end unit (user), but does not

explain a session key list associated with a terminal coupled to the end unit. Although

Allredge discloses an end unit with a terminal coupled to it (service provider as third

party recipient; para. 0052), it would not seem obvious to one of ordinary skill to modify

Allredge to provide a session key list associated with a terminal coupled to the end unit

because Allredge does not reference secure communications beyond the end unit to

another party.

Claims 3-5 are allowable by virtue of their dependence on claim 2.

Claims 9-13 are allowable by virtue of their dependence on claim 8.

Claims 15-19 are allowable by virtue of their dependence on claim 14.

Claims 21-23 are allowable by virtue of their dependence on claim 20.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Naor et al. (US 6,275,573) discloses a method for secured end-to-end telephone

communications via a communications switch.

Finkelstein et al. (5,410602) disclose a method for secured end-to-end cellular

communications via a communications switch.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andrew L. Nalven whose telephone number is 571 272

3839. The examiner can normally be reached on Monday - Thursday 8-6, Alternate

Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kim Vu can be reached on 571 272 3859. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

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published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

ALN

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